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The Honorable Debra C. Freeman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Arista Records LLC et al. v. Lime Wire LLC et al.*
Case No. 06 CV 5936 (KMW)

Dear Magistrate Judge Freeman:

After we spoke with Your Honor's clerk yesterday, Judge Wood issued the attached Order requiring an expedited response and deferring dates in the current schedule by ten days. Judge Wood's ruling on our November 3 letter brief is likely to provide necessary guidance for setting the schedule for the case going forward. Plaintiffs therefore request that the deadline for providing a proposed schedule to Your Honor be extended until 48 hours after Judge Wood rules. Plaintiffs continue to meet and confer in good faith with Defendants to resolve the remaining issues identified in Your Honor's Order. We ask only for a brief extension in the scheduling portion of the Order pending Judge Wood's decision.

Respectfully,

Glenn D. Pomerantz

cc: Defendants' counsel (Willkie Farr) (by email)

SO ORDERED: DATE: 11/4/10

12192401

DEBRA FREEMAN

UNITED STATES MAGISTRATE JUDGE

MEMO ENDORSED

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Denied. The parties should proceed to submit a proposed schedule in compliance with this Court's order, although that schedule for production of documents may take the pending appeal into account. In other words, Plaintiffs may propose waiting until after the appeal is decided to make document production - but should not wait to propose a schedule.